HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

Writ Petition No. 10147 of 2000

Between:

Kankipati Ramana Rao

..Petitioner

And

The Union of India,
Represented by its
Deputy Secretary to Government of India,
Ministry of Home Affairs, Freedom Fighters Division,
Loknayak Bhavan.
New Delhi and others.

..Respondents.

:ORDER:

Counsel for the petitioner : Shri N. Krishna Murthy for
Shri Prattipati Venkateswarlu
Counsel for respondent No.1 : Shri A. Rajasekhar Reddy,
Assistant Solicitor General.
Counsel for respondent No.2: : Government Pleader for Revenue.

October 10, 2006:

In this petition filed some time in the month of June, 2000 Shri Kankipati Ramana Rao had prayed for issue of a direction to the respondents to sanction pension in his favour under the Swatantrata Sainik Samman Pension Scheme, 1980 (for short ' the 1980 Scheme').

During the pendency of the writ petition, Shri Kankipati Ramana Rao died and by an order passed today in W.P.M.P.No. 25276 of 2006, his widow – Smt. Kankipati Mangathayamma -- has been brought on record as the legal representative of the deceased.

In view of the above development, the only issue which needs consideration is whether the widow of the deceased is entitled to get family pension of the 1980 Scheme.

Shri N. Krishna Murthy, learned counsel for the petitioner invited my attention to the averments contained in paragraph No.4 of the counter affidavit filed by Shri V. Veeresham, Deputy Secretary to Government of Andhra Pradesh, Revenue Department to show that the State Government has already

recommended his client's case and submitted that a direction may be issued to the Government of India to decide the claim of petitioner for grant of family pension under the 1980 Scheme.

Shri A. Rajashekar Reddy, learned Assistant Solicitor General gave out that appropriate decision in the light of letter No.64579/FF.III/06-1 dated 02-09-2006 sent by the Government of Andhra Pradesh will be taken by the competent authority of the Government of India within a period of six weeks from today.

In view of the above, the writ petition is disposed of with the following directions:

(1) The competent authority of the Government of India shall, within six weeks from today, consider the claim of Smt. Kankipati Mangathayamma for grant of family pension under the 1980 Scheme. The decision of the competent authority shall be communicated to Smt. Kankipati Mangathayamma at the end of six weeks period by registered post.

(2) If the claim of Smt. Kankipati Mangathayamma is accepted, then appropriate direction be issued to the concerned authority for release of family pension under the 1980 Scheme to her along with the arrears, if any.

G.S. SINGHVI, CJ

10-10-2006

Note:- The Court Officer is directed to give attested copy of this order to the learned Assistant Solicitor General.

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